

2008 Press Release Binder

July

- 3 ***Guest Column***The Attorney General's Office is Getting the Job Done
- 17 Attorney General Bruning Announces \$3 Million Settlement with Pharmaceutical Company
- 17 Attorney General Bruning Praises Internet Safety Agreement With Cable Companies
- 21 Attorney General Bruning Announces Sullivan Pleads No Contest in Inmate Death Case
- 24 ***Consumer Bulletin*** Home Repairs? Select a Contractor Carefully
- 28 Gage County Man Gets Life Sentence For Murder
- 29 ***Media Advisory*** Sound Bite on Griswold Sentencing Now Available

July 2008

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3 GC: AG's Office is Getting the Job Done	4	5
6	7	8	9	10	11	12
13	14	15	16	17 AG Announces \$3 Million Settlement with Pharmaceutical Com- pany AG praises Internet Safety Agreement	18	19
20	21 AG Announces Sulli- van Pleads No Con- test in Inmate Death Case	22	23	24 *CB* Home Repairs? Select a Contractor Carefully	25	26
27	28 Gage County Man Gets Life Sentence For Murder	29 *MA* Sound Bite on Griswold Sentencing Available	30	31		



Attorney General Jon Bruning

MEDIA ADVISORY

FOR IMMEDIATE RELEASE
July 29, 2008, 1:45 p.m.

Contact: Leah Bucco-White
402.471.2067
Leah.bucco-white@nebraska.gov

*****MEDIA ADVISORY*****
Sound Bite on Griswold Sentencing
Now Available

A sound bite from Attorney General Jon Bruning is available at:
<http://www.ago.ne.gov/news/>

###



Attorney General Jon Bruning

NEWS RELEASE

FOR IMMEDIATE RELEASE
July 28, 2008, 8:40 p.m.

Contact: Leah Bucco-White
402.471.2067
Leah.bucco-white@nebraska.gov

Gage County Man Gets Life Sentence for Murder

(Lincoln, Neb) Attorney General Jon Bruning announced today that Richard A. Griswold, 44, of Gage County was sentenced to life in prison for the murder of 49-year-old Connie Eacret.

Griswold also received 50 years for using a firearm to commit a felony.

Eacret was shot in the kitchen of her Beatrice home on Nov. 17, 2007 and died later that day at a Lincoln hospital. Eacret and Griswold had been drinking the night before. Griswold shot Eacret in the right eye. Prosecutors believe Griswold killed Eacret over a love triangle.

"Mr. Griswold intended to kill Ms. Eacret," said Bruning. "He took away her life and now he can spend the rest of his behind bars."

On May 22, a Gage County jury found Griswold guilty of second-degree murder and use of a firearm to commit a felony in the shooting death.

Second-degree murder is a class IB felony. Use of a firearm to commit a felony is a class II felony. Both sentences will run consecutively.

Assistant Attorney General Doug Warner and Gage County Attorney Randall Ritnour handled the case.

###

Home Repairs? Select a Contractor Carefully

Are you thinking about making some home improvements this summer? Or, has storm damage left your home in need of repairs? If so, it's important to make sure you don't fall into the hands of a con artist. While most home repair specialists and home improvement contractors perform a valuable service at a fair price, there are those who take advantage of their customers.

These con artists make promises to improve your home's value, but end up walking away with your money and leaving you with poor work or nothing at all. That's why it's important to be cautious when selecting a contractor.

Here are some tips to follow if you're considering having work done:

- Always get at least three estimates and compare prices.

- Ask friends for recommendations.

- Make sure that the contractor is bonded, licensed and insured. Get proof in writing and call the agencies to confirm.

- Insist on a written, complete contract.

- Keep records of all contracts, correspondence, and anything related to the work done.

- Out-of-state contractors can be more difficult to contact if there's a problem. Be careful working with a contractor who doesn't have a local address.

- Check out the company you're thinking of hiring for the job. The Better Business Bureau keeps records of company reliability – www.bbb.org.

If you believe you've been the victim of a contractor scam, contact either our Consumer Protection Division toll-free at (800)727-6432. You can also file a complaint online at www.ago.ne.gov.



Attorney General Jon Bruning

NEWS RELEASE

FOR IMMEDIATE RELEASE
July 21, 2008, 3:45 p.m.

Contact: Leah Bucco-White
402.471.2067
Leah.bucco-white@nebraska.gov

Attorney General Bruning Announces Sullivan Pleads No Contest in Inmate Death Case

Note: A sound bite on this topic will be available shortly at: <http://www.ago.ne.gov>

(Lincoln, Neb) Attorney General Jon Bruning announced that Michael S. Sullivan pleaded no contest to manslaughter in the death of Reko M. Mitchell.

Sullivan and Mitchell were both inmates at the Tecumseh State Correctional Institution in September of 2007. On Sept. 17, Sullivan and Mitchell got in a fight. Mitchell suffered a spinal cord injury during the fight that eventually caused him to go into a coma. He was later removed from life support and died.

"This fight between inmates left one of them dead," said Bruning. "Just because someone is in prison doesn't mean the rules of law and order no longer apply. For the safety of those working inside our prison walls, violence will not be tolerated."

Manslaughter is a class III felony. Sullivan faces one to 20 years in prison. His sentencing hearing is August 25 at 10:00 a.m. in Johnson County District Court.

Assistant Attorney General Corey O'Brien and Johnson County Attorney Julie Smith Hogancamp are handling the case.

###



Attorney General Jon Bruning

NEWS RELEASE

FOR IMMEDIATE RELEASE
July 17, 2008, 4:00 p.m.

Contact: Leah Bucco-White
402-471-2067
Leah.bucco-white@nebraska.gov

Attorney General Bruning Praises Internet Safety Agreement With Cable Companies

Note: A sound bite on this topic will be available shortly at: <http://www.ago.ne.gov>

(Lincoln, Neb.) Attorney General Jon Bruning praised an agreement reached between the National Cable and Telecommunications Association (NCTA), the National Center for Missing and Exploited Children (NCMEC). Under the agreement, cable operators that bring Internet service to 87 percent of homes will take additional voluntary measures to limit the distribution of child pornography. The agreement was announced today by the NCTA, NCMEC and the National Association of Attorneys General.

The cable companies agreed to use NCMEC's database of Web sites containing child pornography to ensure the sites aren't hosted on the cable companies' servers. The agreement also provides information to cable providers that will help them identify instances of child pornography, facilitating the reporting of the material to NCMEC as required by federal law. This will allow the NCMEC to refer the cases to law enforcement for investigation and prosecution.

"Predators and child pornography are prevalent on the Internet," said Bruning. "Cable companies taking these extra steps will make it harder for people to store and exchange explicit images of children."

The cable companies executing the agreement within 30 days are: Comcast Corporation; Time Warner Cable; Cox Communications; Charter Communications; Cablevision System Corporation; Bright House Networks; Suddenlink Communications; Mediacom Communications Corp; Insight Communications; Bresnan Communications; Midcontinent Communications; Broadstripe; US Cable Corporation; BendBroadband; Eagle Communications; GCI; Sjoberg's Inc.; and Harron.

Bruning was one of 45 attorneys general who signed a letter in support of the agreement.

Internet safety has been and continues to be a top priority for the Nebraska Attorney General's Office. Over the last five years, the office:

- Helped reach agreements with MySpace and Facebook to enhance online safety.
- Reached an agreement with Yahoo! that shut down 70,000 chat rooms frequented by sexual predators.
- Worked with the legislature to create the offense of Online Enticement.
- Worked with the legislature to pass cyberstalking legislation. LB 142 made it a felony for an adult to send sexually explicit material to a child under 16.
- Increased penalties for the possession of child pornography – one to 20 years for the first offense. One to 50 years for each subsequent offense.

- Hosted Websafe, an internet safety conference for local law enforcement and prosecutors, educational administrators, community officials and victim advocacy groups.
- Launched www.safekids.gov, an Internet safety Web site.

###



Attorney General Jon Bruning

NEWS RELEASE

FOR IMMEDIATE RELEASE
July 17, 2008, 4:00 p.m.

Contact: Leah Bucco-White
402-471-2067
Leah.bucco-white@nebraska.gov

Attorney General Bruning Announces \$3 Million Settlement with Pharmaceutical Company

Note: A sound bite on this topic will be available shortly at: <http://www.ago.ne.gov>

(Lincoln, Neb.) Attorney General Jon Bruning announced that Nebraska received almost \$3.2 million as part of a settlement totaling \$389 million with drug company Bristol-Myers Squibb (BMS) and its former subsidiary Apothecan, Inc. The settlement involves 43 states and the District of Columbia.

"We're pleased to have recovered over \$3 million dollars for Nebraska," said Bruning. "This is a big win for Medicaid programs across the country and right here at home."

The settlement addresses allegations that BMS engaged in illegal marketing and pricing of prescription medications including:

- Reporting inflated prices for prescription drugs knowing that Medicaid and various federal health care programs would use the reported prices to pay for BMS and Apothecan products used by participants.
- Paying illegal compensation to health care providers and pharmacies to persuade them to buy BMS and Apothecan products.
- Promoting the sale and use of Abilify, an antipsychotic drug, for use in children and for treatment of dementia-related psychosis, uses which the federal Food and Drug Administration hasn't approved.
- Misreporting sale prices for Serzone, an antidepressant, resulting in the improper reduction of the amount of rebates paid to the state Medicaid programs.

The settlement reimburses the federal government and participating states for excessive amounts paid by Medicaid programs as a result of the company's conduct.

Nebraska's settlement goes to Health and Human Services, the agency that runs the state's Medicaid program.

BMS also entered into a Corporate Integrity Agreement and will be required to report its sales prices and average manufacturers prices accurately.

The case was handled by the National Association of Medicaid Fraud Control Units and the Nebraska Medicaid Fraud Control Unit of the Attorney General's Office.

###



July 3, 2008

“The Attorney General’s Office is Getting the Job Done”

By Nebraska Attorney General Jon Bruning

Recently, the Attorney General’s Office and the Nebraska Equal Opportunity Commission (NEOC) reached an agreement in the investigation and prosecution of housing discrimination cases. The working relationship between the two agencies has been strained over several years, but I’m hopeful that under this new agreement we will continue our fight against discrimination together.

One of our office’s responsibilities is to fight discrimination. We’re getting the job done. This office always has and always will pursue cases where evidence of discrimination exists. We have prosecuted housing discrimination cases referred to us by the NEOC as well as filed cases for enforcement of NEOC administrative orders. Cases not pursued were either settled by the NEOC or we believe showed no evidence of discrimination. We will continue to prosecute well-investigated cases showing actual discrimination as we move forward.

The illegal immigrant case was critical because it was the first case sent to us from the NEOC after our initial agreement. We turned down this case because it showed no evidence of discrimination, and I will not use taxpayer dollars to prosecute cases seeking money damages on behalf of illegal immigrants. Now the NEOC and our office have a process in place where a volunteer lawyer can prosecute such cases without using taxpayers’ money.

Whether it’s discrimination or other issues, our office focuses on getting the job done. I’m proud of what we have done for Nebraskans, especially women and children.

Our office continues to fight to keep a man who embraces racism and white supremacy from being allowed to carry a gun and a badge. Robert Henderson, a former State Patrol trooper, was terminated from his position after an investigation determined he had joined a group associated with the Ku Klux Klan. My office recently presented oral arguments to the Nebraska Supreme Court asking that Henderson not be reinstated as a trooper.

We’ve worked to help protect Nebraska’s children from sexual predators. We’ve given hundreds of Internet safety speeches to thousands of kids. We partnered with lawmakers to pass legislation that requires a mandatory prison sentence of at least 15 years for the gravest crimes against children. We helped create the offense of online enticement. This law gave prosecutors the ability to prosecute sexual predators lurking on the Internet. And, we worked with the Legislature to pass a cyberstalking bill which makes it a felony for an adult to send sexually explicit material to a child under 16.

Our office has hosted eight domestic violence training conferences across the state training more than 1,000 public servants in the areas of victim assistance, prosecution methods and police protocol.

Our office also helped stem the tide of methamphetamine in Nebraska communities. In 2005, we worked to pass a law that required products with pseudoephedrine, a major ingredient in meth, to be sold behind pharmacy counters. One year after the law went into effect the number of meth labs seized in Nebraska decreased by 86 percent, according to State Patrol statistics.

We're getting the job done by ensuring the law applies equally to everyone. Our office appeals excessively lenient sentences and prosecutes elected officials who feel they are above the law.

And, we've provided a voice for consumers by growing our Consumer Protection Division. If Nebraskans have a problem, the Attorney General's Office is the place they call for help. Last year, the division received more than 15,000 calls from concerned companies and consumers and returned more than \$700,000 to victims of scams.

Over the last five and a half years, the talented people in our office have accomplished extraordinary things. The Department of Justice is effective and efficient. Our priority and our passion is protecting Nebraskans, and we're getting the job done.